



1995 SENATE BILL 405

November 7, 1995 - Introduced by Senators BRESKE, WELCH and ZIEN, cosponsored by Representatives RYBA, AINSWORTH, OLSEN and VANDER LOOP. Referred to Committee on State Government Operations and Corrections.

1 **AN ACT to amend** 29.156 and 302.15; and **to create** 302.16 of the statutes;
2 **relating to:** fishing by prisoners in state correctional institutions.

Analysis by the Legislative Reference Bureau

Under current law, the department of natural resources (DNR) may issue without charge to a hospital or a state correctional institution an authorization for the residents of the hospital or institution to fish without having fishing licenses. Under this bill, DNR may not issue such an authorization to a state correctional institution and the department of corrections may not permit any inmate of a state correctional institution to fish.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 29.156 of the statutes is amended to read:
4 **29.156 Authorizations for certain patients and institutionalized**
5 **persons to fish.** The department shall issue an authorization without charge to a
6 county hospital, a state or federal mental hospital, ~~state correctional institution~~ or
7 a nonprofit institution located in this state for rehabilitation purposes upon request
8 of the superintendent of the institution. The authorization permits a resident of the

1 hospital or institution who is supervised by an employe of the hospital or institution
2 to fish for fish subject to all other provisions of law.

3 **SECTION 2.** 302.15 of the statutes is amended to read:

4 **302.15 Activities off grounds.** The wardens and superintendents of the state
5 prisons, and all wardens and superintendents of county prisons, jails, camps and
6 houses of correction enumerated in ch. 303, may, subject to s. 302.16, take inmates
7 away from the institution grounds for rehabilitative and educational activities
8 approved by the department and under such supervision as the superintendent or
9 warden deems necessary. While away from the institution grounds an inmate is
10 deemed to be under the care and control of the institution in which he or she is an
11 inmate and subject to its rules and discipline.

12 **SECTION 3.** 302.16 of the statutes is created to read:

13 **302.16 Fishing by inmates prohibited.** The department may not permit
14 any inmate of a state correctional institution to fish.

15 **SECTION 4. Nonstatutory provisions.**

16 (1) Notwithstanding section 29.093 (3) (a) of the statutes, an authorization
17 issued to a state correctional institution under section 29.156, 1993 stats., shall
18 expire on the effective date of this subsection.

19 (END)